

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Franklin P. Jones, Pro Tem Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Deputy Clerk.

F030238 California Casualty Insurance Co. v. Tamara L. Beard et al.

Cause called and argued by Joel Drum, Esq., counsel for appellant and by Catherine E. Basham, Esq., Deputy County Counsel, counsel for respondent.

Cause ordered submitted.

At this point Vartabedian, Acting P.J. directs Harris, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Harris, J.

F030235 County of Madera v. Cobb II et al.

Cause called and argued by Denslow Green, Esq., counsel for appellant and by Dale E. Bacigalupi, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Deputy Clerk.

F027663 Hunter v. Battin et al.

Cause called and argued by Cyril L. Lawrence, Esq., counsel for appellant and by Daniel J. Doonan, Esq., counsel for respondent.

Cause ordered submitted.

At this point Wiseman, J. leaves the bench and is replaced by Jones, Pro Tem J.

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F028211 Maxwell v. Sons

Cause called and argued by Michael H. Steinberg, Esq., counsel for appellant and by David C. Byers, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Wednesday, April 14, 1999 at 10:00 A.M.

F031975 In re Kimberly S., a Minor; Fresno County Department of Social Services v. Leanne W.

The judgment is affirmed. Vartabedian, Acting P.J.

We concur: Wiseman, J.; Jones (F.P.), Pro Tem J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F030665 People v. Armenta

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F032689 Linda D. v. The Superior Court Of Tulare County; Tulare County Department Of Health And Human Services

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030053 People v. Hernandez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F027097 Department of Fair Employment and Housing, et al. v. Chamlian Enterprises, Inc.

The judgment is affirmed. Vartabedian, J.

We concur: Stone (W.A.), Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F032704 Lashawn C., v. Superior Court, Kern County; Dept. Human Services

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F032744 Shelby S., v. Superior Court, Kings County; Human Services Agency

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F031014 Estate of John W. Harmon II, Deceased

The judgment is affirmed. Costs on appeal are awarded to respondents. Levy, J.

We concur: Ardaiz, P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030534 In re Jacob H., a Minor

The following court findings set forth in the March 20, 1998, minute order are stricken: (1) defendant's welfare required that physical custody be removed from his parent; (2) defendant's parent was incapable of providing or has failed or neglected to provide proper maintenance, training, and education; and (3) continuance in the home of the parent would be contrary to defendant's welfare. That portion of the order granting probation that required defendant to pay restitution in the amount and manner to be determined by his probation officer is set aside. The trial court shall amend its orders accordingly. The dispositional order is otherwise affirmed. Vartabedian, Acting P.J.

We concur: Harris, J.; Jones, Pro Tem J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F027455 Celli v. AG Production Company

The judgment is affirmed. Respondent is awarded his costs on appeal. Dibiaso, Acting P.J.

We concur: Harris, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE

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IN AND FOR THE

Fifth Appellate District

F027975 Celli v. AG Production Company

The order denying relief under section 2033(o) is affirmed. Costs on appeal to respondent. Dibiaso, Acting P.J.

We concur: Harris, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030663 People v. Lawson

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F032704 Lashawn C., v. Superior Court, Kern County; Dept. of Human Services

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032800 Falco et al. v. District No. 14, The American Legion, Department of California, Inc.

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 10(c), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F027379 Takahashi v. Phillips, et al.

The judgment is affirmed. Levy, J.

We concur: Ardaiz, P.J.; Dibiaso, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]